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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/030,258 02/25/98 SCHULTZ

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EXAMINER

TM02/1206

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ART UNIT

PAPER NUMBER

2151

DATE MAILED:

12/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/030,258

Applicant(s)
Schultz, et al

Examiner
S. Lao

Group Art Unit
2151



☒ Responsive to communication(s) filed on Aug 3, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-46 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-46 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

1. Claims 1-46 are pending. This action is in response to the amendment filed 8/3/2000. Applicant has amended claims 1-2, 30, 33-34, and canceled claims 47-59.

2. The finality of the rejection of the last Office action is withdrawn.

3. Claims 1-4, 20-27, 34-35, 41-44, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al in view of Mahajan.

As to claim 1, Krishnamurthy teaches data processing system (Yeast, event-based cooperative process management system), including

one or more event modules (client) including code that generates an event data signal representative of a particular event (client commands, announce events, page 134, section 2; page 137, section 2.2.2),

one or more scripts (action) each of said one or more scripts having one or more instructions (sequence of command, section 2, first para., section 3.2),

one or more processing modules (client, server) each including code that provides processed data (event) to said one or more scripts (trigger action) (sections 2.2.2, 2.3); and

a task module (command interpreter), selectively communicating with each of said one or more event modules (client), including code for execution of a selected one of said one or more scripts that corresponds to said event data signal (command interpreter to execute the action component, page 134, section 2; section 2.3).

It is noted that the limitation of one or more is interpreted as one.

While Krishnamurthy modifies the course of actions, ie, process flow, by directly or indirectly incorporating results of previous event or action (event announcements made by user, or tools or actions of Yeast specification, page 141, section 2.2.2), he does not teach (1) that such modification includes during said execution of said selected script, the task module invokes one or more processing modules to process data and to transmit the

processed data to the task module, (2) said selected script incorporates the processed data into the one or more instructions of said selected script.

Krishnamurthy also does not teach that (3) the task module selectively communicates with the one or more processing modules.

As to (3), Mahajan teaches a scripting system, wherein a task module (script interpreter 19) is separated from processing modules / event modules (applications 10, 11, 12), such that the task module selectively communicates with the processing modules (fig. 3, paths 24, 25). As to (1)-(2), Mahajan teaches during execution of a selected script (script Listen, fig. 4c), the task module (19) invokes one or more processing modules to process data (ReadDTMF()) and to transmit the processed data to the task module (DTMFInput), and selected script incorporates the processed data into the selected script (DTMFInput being 1, 2, 3 or 4 results in four different course of actions as shown in the corresponding "IF...END" sections of code of fig. 4c). See col. 4, line 35 - col. 7, line 30. Since Krishnamurthy requires user interaction and Mahajan provides an interface to so do, it would have been obvious to combine the teachings.

As to claim 2, Krishnamurthy teaches implementing event-action based process management (fig. 1) in a high speed execution environment (Sun/Unix system, page 135), wherein the time difference between actions would have been very small, as such, the execution of scripts/actions would have been substantially simultaneous.

As to claim 3, Krishnamurthy teaches converter module to maps said event data signal to one or more scripts upon reception (command interpreter, match the event component, page 134, section 2.3).

As to claim 4, Krishnamurthy teaches one or more processing modules / task module as client / server.

As to claims 21-26, inherently, Krishnamurthy's system includes storage / computer-readable medium / persistent memory for storing code. Since the system of Krishnamurthy interacts with user (page 137, section 2.2.2), including a standard language interface or a graphical user interface would have been inherent. Script building module

for creating one or more scripts is met by Krishnamurthy (generating specification, page 141, section 3.2, first para.).

As to claims 20, 27, Krishnamurthy teaches (page 137, section 2.2.2, page 133, second para.) actions are inter-related by events, and events trigger actions which in turn trigger further event announcement. As such, scripts/actions are modified dynamically / at run time. Further, Mahajan teaches one or more scripts is preprogrammed to iteratively/dynamically update/modify its contents (see discussion of claim 1 with respect to Mahajan).

As to claim 34, it is basically a method claim of claim 1. Further, note discussion of claim 20 for dynamically incorporating results of execution into a script / dynamically updates and modifies.

As to claim 35, note discussion of claims 13-19 and 32 for communication interface and peripherals.

As to claims 41-44, note discussion of claims 13-19 for protocols and interfaces and claim 2 for substantially simultaneously. Accessing only the peripheral modules that capable of performing processing operations is a typical part of load balancing.

As to claim 46, providing results of execution is taught by Waclawsky (monitor performance).

4. Claims 5-19, 28-33, 36-40, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al in view of Mahajan as applied to claim 1 and further in view of Waclawsky et al.

As to claims 5-6, 8-9, Waclawsky teaches event-based network management (event driven interface, abstract), including providing information relating to operating conditions (performance measure, step 408) and load balancing (load balancing, modify network operation) (abstract, step 412). Direct communication is taught by the network configuration. Since Krishnamurthy and Waclawsky address event management, it would have been obvious to combine the teachings.

As to claim 7, storing script/specification is taught by Krishnamurthy as modified (Mahajan, 20-22, fig. 3).

As to claims 10-12, Krishnamurthy as modified teaches (Waclawsky) bidirectionally and substantially simultaneously transmitting data between (network), dynamically assigning processing functions (compare performance and modify network operation, steps 408, 410, 412).

As to claims 13-19, Krishnamurthy as modified teaches (Waclawsky) communication interfaces (event driven interface) and protocols (method/system of Waclawsky) between various modules of the network.

As to claims 28-32, Krishnamurthy as modified teaches (Waclawsky) protocols and communication interfaces (note discussion of claims 13-19 above), means for transmitting and receiving response data (client/server), and peripherals (printer 26).

As to claim 33, note discussion of claim 1 and Krishnamurthy as modified teaches (Waclawsky) resource management module that dynamically assigns processing functions to (media manager 102); and administrative module that receives and presents data relating to (network monitor 22). Fig.s 1, 6, 10.

As to claim 36, note discussion of claim 11.

As to claims 37-40, Waclawsky teaches producing response data signals as a result of execution (monitor performance); transmitting response data signals from a task module to selected said one or more peripheral modules (output control signal, step 412), storage (memory 100). As to the step of translating, data formatting/ translating is common practice in the art when a sender and a receive have different formats/conventions.

As to claim 45, note discussion of claims 20 and 27.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. A

voice mail service is also available at this number. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-9051 for regular communications and (703) 305-9731 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Sue Lao

November 10, 2000



ALVIN E. OBERLEY
SUPERVISORY PATENT EXAMINER
GROUP 2700